

Jim Crow Cars-1937

Arkansas.

Negro Congressman Sues for \$50,000, Charging He Was Ejected From Pullman

Special to THE NEW YORK TIMES

WASHINGTON, May 10.—Representative Mitchell of Illinois, the only Negro member of Congress, announced today that he had filed suit for \$50,000 damages against the Pullman Company, and the Illinois Central and Rock Island Railroads, for "humiliation and inconvenience" on charges that he had been ejected from a Pullman car while en route to Hot Springs, Ark., on April 21.

While traveling in a compartment from Chicago to Hot Springs, Mr. Mitchell was ejected, he related, by a Rock Island conductor as the train entered Arkansas. He said he had bought two round trip tickets to obtain an entire compartment, and that when he was ejected there was other space in the car not occupied. He was forced, he said, to go into the so-called "Jim Crow" car, which he described as "filthy."

One of the allegations of the suit, which Mr. Mitchell said was filed in Cook County Circuit Court (Chicago) this morning, was that "the said conductor did threaten to have the plaintiff arrested by police officers and did abuse and call this plaintiff vile names, which said vile names are too opprobrious and profane, vulgar and filthy to be spread upon the records of this court."

When he called the conductor's attention to unoccupied space in the car, the conductor said, according to the allegation:

"You will have to ride in the 'second class' coach and no other place on this train or I'll stop the train and have you locked up if you don't get off this Pullman car and back into the 'second class' car."

"This is the first gun in a campaign I am starting to clean up the Jim Crow cars in the South," Mr. Mitchell said. "Some of the railroads down there operate filthy cars and I intend to see that they are made to furnish equipment for people of my race, which is equal to that furnished for any other race."

"The Jim Crow laws in most of the States provide that equal accommodations must be furnished for both races. But the Rock Island did not do that. I went back to Chicago on a Jim Crow car of an-

other railroad, which was equal in accommodations with that furnished to white people. So I am not aiming at all railroads—just those which operate dirty, filthy equipment my people are forced to ride in."

Railroad Being Sued By Negro Congressman

WASHINGTON, May 10.—(P)—Representative Mitchell (D), Illinois, only Negro member of Congress, said today he had filed a \$50,000 damage suit against the Illinois Central Railway Company, the trustees of the Rock Island Railroad and the Pullman Company because he was ejected from a Pullman car near Forest City, Ark., April 21.

While on the way to Hot Springs, Ark., from Chicago, Mitchell said, he was threatened with arrest unless he left the Pullman car in which he was riding and entered a car reserved for negroes.

The suit, he said, was filed by his attorneys in Chicago Circuit Court this morning.

Congressman Mitchell's Pullman Car Suit

Representative Arthur W. Mitchell's suit for \$50,000 damages, recently filed against the Pullman Company and the Illinois Central and Rock Island Railroads because he allegedly was ejected from a compartment of a Pullman car in which he was traveling from Chicago to Hot Springs, will be of interest to our group.

This is not the first case in which colored travelers have been forced to accept second class accommodations upon certain railroads while they held tickets which called for first class traveling privileges.

In reference to his suit, Mr. Mitchell is reported as having commented: "Some of the railroads down there operate filthy cars and I intend to see that they are made to furnish equipment for people of my race, which is equal to that furnished for any other race."

It seems strange that any railroad of the Pullman Company will sell tickets to travelers and then allow its conductors in charge of these cars to compel such patrons by threats of arrest to ride elsewhere.

As Mr. Mitchell stated, the Jim-Crow laws in most of the states provide that equal accommodations must be furnished for both races. Many railroads traversing the South provide equal accommodations for both races, but many others compel its colored travelers to journey in dirty, unsanitary coaches, and there have been railroads that went so far as to compel colored women and men travelers to use the same toilet.

Representative Mitchell is fully justified in challenging the Pullman and railroad companies involved in this reported case of unwarranted discrimination which, contrary to all the laws of fairness, should be stopped.

Mr. Mitchell, of Illinois the lone colored Congressman in the House of Representatives, is asking redress well within his rights. If his ticket called for a compartment, he was rightfully entitled to same. The most humble traveler though not a Congressman, is entitled under the law to ride in the section which his ticket designates. Mr. Mitchell's suit should have a beneficial effect.

the train picked up several Rock Island warm letter of welcome from Arkansas cars and headed into Arkansas.

Near Forrest City, some 160 mi. from Hot Springs, there was a rude interruption.

In the eyes of an approaching conductor, as well as of the Arkansas law, which provides fines for trainmen who neglect to separate Negroes from whites, Congressman Mitchell was just another Negro. The conductor ordered him to take his bags and get up to the Jim Crow car behind the baggage car. He protested, showed his ticket, pointed to a number of unoccupied sections. Vacancies or no vacancies, the conductor informed him, the only place he or any Negro could ride in Arkansas was second-class, in the Jim Crow car. When the conductor threatened to stop the train he rode the Jim Crow car of another railroad and have him arrested, he gave in, fumed road without being told. When he got in the Jim Crow car for four hours. When back to Chicago, Congressman Mitchell, a he reached his destination Congressman lawyer himself, hired another lawyer to see Mitchell said nothing of the incident and what could be done about it.

Last week in Cook County's Circuit Court Congressman Mitchell sued the Illinois Central, the Chicago, Rock Island

& Pacific and the Pullman Co. for \$50,000. Plaintiff Mitchell's description of an Arkansas Jim Crow car: "... The car was divided by partitions and partly used for carrying baggage, ... poorly ventilated, filthy, filled with stench and odors emitting from the toilet and other filth, which is indescribable." His description of the language a Southern train conductor used on a member of the U. S. Congress: "... Too opprobrious and profane, vulgar and filthy to be spread upon the records of this court."

The Negro press rejoiced when Congressman Mitchell filed his suit. Arthur W. Mitchell was out to end the iniquitous Jim Crow system, they crowed in their lead stories. But when newshawks talked to him in Washington they found out differently. His complaint, it seemed, was not with the South's segregation laws, but with the roads that provide inferior accommodations for segregated Negroes when the laws specify equal accommodations. Indeed, he said, he could find no fault with some of the roads that do business in the South.



Thos. D. McAvoy

CONGRESSMAN MITCHELL

To an Arkansas conductor, he was just another Negro.

Here's The Way To Help Negroes

Black Legit
Our notion is that Congressman Mitchell should not be content with the filing of a damage suit against the Rock Island Railroad and the Illinois Central because of forcible ejection from Pullman reservations. If the Congressman were to win this law suit the very nature of the action would cause no one to be benefitted but him. Nothing would have been adjudicated benefitting the millions of black Americans who suffer from Jim Crow and all of its involved humiliations and handicaps.

On the other hand, a suit in the federal court involving the constitutionality of separate car laws would go much further in scoring a racial victory. The very position Congressman Mitchell occupies would place such a case on a plane where no other Negro American could lift it.

Even if the court might hold in such a case that states had the right to regulate intrastate traffic, the fact that Mr. Mitchell was an interstate passenger would furnish the opportunity to thresh out the question of the black man's rights as he travels across several states.

A \$50,000 damage suit won by Congressman Mitchell would fill quite a hole in the Illinois solon's pocketbook, but it would not help a single black man other than the Congressman. Here's hoping that the kind of suit we have in mind will be speedily filed.

Mitchell's Mitchell's Jim-Crow Case Up Case Delayed

CHICAGO—(A N P)—A hearing on the complaint of Rep. Arthur W. Mitchell that he was jim crowed and forced to ride in a second class railway coach although he had a first class ticket will be held here Wednesday at the Hotel Sherman. The interstate commerce commission announced last week.

Defending the action are the Illinois Central and the Rock Island and Pacific railroads and the Pullman company who, the congressman charges, violated the interstate commerce act as well as the federal constitution last April 20 when on a trip to Hot Springs, Ark., from Memphis, he was forced to give up the first class seat he held.

Mitchell asserted the railroads, claiming to act under authority of Arkansas law, based their action on the fact he is a Negro. The car in which he was forced to ride was used jointly for passengers, train crew and baggage and was "small, poorly ventilated, filthy and indescribably unsanitary," he declared.

Examiner W. A. Disque will have charge of the hearing.

Postpone Hearing On R. R. Jim Crow

CHICAGO—(ANP)—An indefinite postponement of the hearing scheduled for Thursday of Congressman Arthur W. Mitchell's charges of discrimination against the Chicago Rock Island and Pacific railway, the Pullman company and the Illinois Central railroad was announced Friday by the Interstate Commerce Commission.

Mitchell charged the Interstate Commerce act was violated when he was forced to ride in a second class car, although he held a first class ticket, on a trip to Hot Springs, Ark., last April 20. He also has pending a \$50,000 damage suit and predicted it would upset the Arkansas jim crow law requiring Negroes and whites to occupy separate cars.

Continuance of the I. C. C. hearing was requested by Mitchell, who is now in Washington for the special session of congress.

CON. ARTHUR MITCHELL POSTPONES HEARINGS ON RAILROAD SUITS

Press Of Official Business Keeps Him In Washington
New Hearing Expected In January.
Says He Will Win.

At the request of Congressman Arthur W. Mitchell of Illinois, the Inter-State Commerce Commission has postponed the hearing on his suit against the railroads until some time in January, the date of which has not been set.

The case was set for December 10, but owing to pressing legislation in connection with his duties as congressman during the present special session of congress, Mr. Mitchell had the hearing postponed.

It will be remembered that early in September the Congressman from the First Illinois District filed a complaint against the Rock Island and Pacific Railroad, charging discrimination in accommodation on account of color. If the railroads are found guilty as charged by the plaintiff, the commission is asked to compel the railroads to correct this condition, as it affects not only Mr. Mitchell, but others who are similarly situated which, of course, means all the colored people, and to assess such fines and damages as seem just and proper to the commission.

Congressman Mitchell has also filed suit for \$50,000 damages against the railroads and the Pullman Company for forcing him to ride in a second-class coach, after he had purchased a first class ticket from Chicago to Hot Springs in a pullman car.

In his office at Washington last week, Mr. Mitchell stated that he was confident of winning both the corrective and damage suits now pending, adding that the railroads had already admitted furnishing second class accommodations for first class fare and had offered to refund the difference. He showed a long line of court decisions requiring railroads to furnish equal accommodations. He also stated that he would push both suits to early settlement.

Jim Crow Cars - 1937

Arkansas.

Charleston, S. C. News & Courier
May 14, 1937

Equal Accommodations

Arthur Mitchell, Democrat, congressman, negro, of Chicago, says of his suit against a railroad for "ejecting" him from a car: "This is the first gun in a campaign I am starting to clean up the Jim Crow cars in the South. . . .

"The Jim Crow laws in most of the States provide that equal accommodations must be furnished for both races. But the Rock Island Railroad did not do that. I went back to Chicago on a Jim Crow car of another railroad, which was equal in accommodations with that furnished to white people. So I am not aiming at all railroads—just those which operate dirty, filthy equipment my people are forced to ride in."

The News and Courier agrees that negroes are entitled to equal accommodations for their money with whites in the South. Mitchell apparently concedes the right of the Southern states to separate negroes and whites, insisting only that negroes shall not be cheated, shall not be denied what they pay for. With this we believe respectable white Southerners are in accord, and we commend Congressman Mitchell's good sense.

The problem is a pullman car problem. If the negroes in interstate travel shall be numerous in pullmans, the Pullman company will lose white patronage in the South. The whites will use their automobiles even for long journeys, the automobile buses and the airplanes. New ways of traveling have done much to remove the probability of the races traveling together.

Jim Crow Cars-1937

JIM CROW CARS

One riding trains in the South today finds conditions on Jim Crow cars much better than they were a few years ago before the depression came and the buses became serious competitors for passengers and freight. Conductors as a whole ceased to be so unsympathetic and uncouth toward our people, and train porters became more courteous.

But with the improvements noted one still finds many things lacking. On No. 41 Southern train from Washington, D. C. to New Orleans a passenger of color could not get a pillow. There was no wash basin, and no hot water. Instead of the car being air-conditioned it was none conditioned. Short while ago the writer was on a main line where there was only one toilet for ladies and gentlemen. It is our opinion that the fault often lies with subordinate trainmen and not with the heads of the roads. For in one instance all the Bronze passengers were huddled into one end of the Jim Crow car with one toilet while the rear section "for whites" was vacant, and the conductor did not want it used.

No one but a constant traveller knows the inconveniences to which Bronze Christians are subjected in this country. Many times getting a pullman berth is out of the question. It is a sin for one to be compelled to get a drawing room when a "lower" berth would serve the purpose.

and all because of his complexion. One should be permitted to purchase railroad accommodations according to one's ability. This is Christian. It is American. At the same time our bodies may be segregated and proscribed but we will fight to the last in maintaining freedom of our spirits.

Paris, Tenn., Parisian
June 11, 1937

BLACK OR WHITE?

Down in the bluff city for a couple of days. Came out on the L. & N. No. 102 at noon, Conductor Hamm in charge. On the going south trip a woman got on the train at a flag stop just south of Brunswick and occupied the white coach. On the coming out trip she boarded the colored coach at Memphis to the surprise of said conductor, who is still trying to figure out whether she is black or white. He called on us to referee, but we had to agree with him that it was a draw. There are some people, though, that for the sake of argument will insist that black is white and vice versa.

Conductor Hamm just let nature take its course and that ought to settle it. Congressman Arthur Mitchell, the negro from Chicago in the U. S. Congress, didn't have such easy sailing in the white coach though, when he went to Hot Springs a few weeks ago to make a speech. When he got to the M-D line, the conductor put him over into the negro coach. Says Time, "To an Arkansas conductor, he was just another negro." Congressman Mitchell is raising a lot of fuss about it and has brought suit against the railroad. He says he isn't concerned so much about being put in the Jim Crow section as he is that the railroads do not provide proper accommodations for the negroes.

That won't survive. If there is complaint, it should come from the white smokers. On the going down trip on all railroads the negroes use half of the divided coach. On the coming back trip the same half of the coach is used by the white smokers. The car is not turned, just switched into the head end of the train at the terminal. The label on the dividing door is changed from colored to white. The accommodations, accordingly are the same.

Incidentally, this divided coach on the L. & N. is air-conditioned. The whole train is air-conditioned. Every train now operating on the L. & N. between Bowling Green and Memphis is air-conditioned, and it makes a pleasant trip anywhere one may be going between these stations. If there are those who just must smell the smoke and get a cinder in the eye for old-

General.

times sake, they'd better use the wooden axle between Paris and Bruceton.

Story says Justice Van Devanter is retiring to farming with distinction. Well, any "farmer" with a \$20,000 annual income would be distinctive.

B. & O. Railroad Cancels Secret Order Aimed to Jim Crow Negro Delegates Following Expose

General Passenger Agent Denies Policy is to Segregate Any Group

SAYS STEWARD STINE IS TO BE DISCIPLINED

Regrets Incident and Publicity Given Affair in Washington Tribune

Following the expose by The Washington Tribune last week of a confidential order issued by the chief steward of the Baltimore and Ohio Railroad, the officials of the railroad immediately cancelled and rescinded the order and claimed that the steward responsible for the proposed Jim-Crow attempt would be disciplined. The order, issued June 9 and signed by F. A. Stine, was given to stewards of the railroad and was considered designed to bar colored delegates to the National B.Y.P.U. Congress and Sunday School Convention in Raleigh, N. C. from the dining car.

To Be Kept Secret

Delegates from St. Louis and Detroit to Washington would be affected by the secret order as stewards were informed that these groups were to be served sandwiches and coffee in their coaches so it would "not be necessary" for any of them to go to the dining car.

The stewards were advised to "handle these people with tact to avoid criticisms." The instructions relating to the Jim-Crow group were marked "confidential" and stewards were warned not to

display the order in front of waiters. "Handle this movement with utmost diplomacy in order to avoid our receiving criticisms from our regular patronage," read the instructions.

Dr. William H. Jernagin, president of the congress and convention, immediately got in touch with D. L. Moorman, general passenger agent, and not only threatened to cancel the trip over the B. & O. Railroad, but also said he would refuse to use the facilities of the road when the National Baptist Convention meets in California in September.

Denies Knowledge

Moorman denied knowledge of the order contending that it was the policy of his company to treat all races with equal courtesy and accommodation.

He said he would "take care" of the said steward who took upon himself the responsibility of issuing such an order against the policy of the company. He did not say how Stine would be "taken care of."

In a letter to Dr. Jernagin last Saturday Moorman wrote:

"Please refer to our several conversations relating to the unfortunate incident in connection with the proposed movement of delegates representing the B.Y.P.U. from St. Louis territory to Raleigh, N. C. via Washington and a similar movement of the Michigan delegates to the same destination."

Order Rescinded

"Thursday, immediately following my conversation with the editor of The Tribune, we made an investigation of the matter, located the order and on Thursday, June 17 we caused our F. A. Stine to cancel and rescind the instructions contained in his Circular DC&C-STN No. 128 which was issued on Wednesday, June 9 re-

lating to the movement of the above parties.

"We sincerely regret this happening and assure you that it is not the policy of the Baltimore and Ohio Railroad to discriminate against the members of your race. The Baltimore and Ohio has been serving the city of Washington for more than 100 years and during that time has satisfactorily served thousands of members of your race. We have no policy aiming to discriminate against your people. I think you can bear me out in this statement since I know of no one who travels quite as extensively as yourself.

Called Unfortunate

"Under the circumstances it is unfortunate to say the least that this matter received such prominent attention and I think that in view of our policy that the newspaper should rescind the article in a prominent manner.

"I believe this letter sets forth the policy of the Baltimore and Ohio Railroad and I sincerely hope that it will have the effect of closing the incident."

—Police Court Judge—

Gossip is a sort of smoke that comes from the dirty tobacco pipes of those who diffuse it; it proves nothing but the bad taste of the smoker.—George Eliot.

EQUALITY ON TRAINS
DEMANDED BY NEGRO
Communist Appeal
Illinois Congressman Requests
Action By Commission

WASHINGTON, Aug. 31.—(AP)—Representative Mitchell, (D., Ill.) only negro member of Congress, has asked the Interstate Commerce Commission to compel two railroads and the Pullman Company to provide "equal Accommodations" for first class passengers, regardless of color, between Chicago and Hot Springs, Ark. 8-1-37

Mitchell's petition, which he said was filed in Chicago, named as defendants the trustees of the Chicago, Rock Island and Pacific Rail-

way Company and the Illinois Central Railway Company, as well as the Pullman Company.

He said his action was an outgrowth of an incident of April 20. While en route to Hot Springs, he said, he was compelled to leave his Pullman when it reached Arkansas and ride "second class" although he held a first-class ticket. Mitchell declared the conductor told him that an Arkansas law prohibited negroes from riding in cars with white persons, except in partitioned cars. He has sued for \$50,000, charging breach of contract.

The petition contends the "second class car" was "filthy," that the defendants showed "discrimination" by accepting fare for first class accommodations and not providing them, and that they were "prejudicial" to white persons.

CONGRESSMAN MITCHELL IS COMPLAINANT IN CASE

Unequal Accommodations

For Negroes Violates Law, He Contends

WASHINGTON, D. C.—Following the filing of a civil suit in May against railroad officials who subjected him to indignities on April 20th while he was traveling from Chicago, Ill., to Hot Springs, Ark., Congressman Arthur W. Mitchell, through his attorney Richard E. Westbrooks, filed a petition on September 1 with the Interstate Commerce Commission, demanding that the inequalities in the service on the railroad in the South be wiped out.

Congressman Mitchell's complaint, filed with the I. C. C., names as defendants Frank O. Lowden, James E. Gorman and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island and Pacific Railway Company, a corporation; the Illinois Central Railway Company, a corporation; and the Pullman Company, a corporation.

The petition, dated August 24th, and sworn to before Truman Ward, a notary public, states:

Congressman's Petition

"The complaint of the above-named complainant respectfully shows:

I

"The complainant, Arthur W. Mitchell, is a native born citizen of the United States of America, and a resident of the City of Chicago, Illinois; is a duly licensed and practicing attorney-at-law of the State of Illinois, and is the Representative in Congress of the First Congressional District of the said State of Illinois.

II

"That the defendants, and each of them, are common carriers engaged in the transportation of passengers and property, wholly by railroad, between Chicago, Illinois; and points in the State of Arkansas, particular-ly the City of Hot Springs, Arkansas; as well as points in various other states of the United States; and as such common carriers are subject to the provisions of the Interstate Commerce Act.

III

"That the defendants, and each of them, in violation of Section 1 of the Interstate Commerce Act, Clause 5 thereof, on April 20, 1937, did make and receive a charge for services rendered and to be rendered in connection with the transportation of the complainant from Chicago, Illinois to Hot Springs, Arkansas, which was unjust, unreasonable and unlawful; in this, that complainant on said April 20, 1937, did purchase in Chicago, Illinois, a first-class round-trip ticket to and from Hot Springs, Arkansas, over the defendant lines, and did pay therefor the rates demanded and received of first class passengers for first class accommodations; yet defendants failed to furnish complainant first class accommodations and instead thereof, furnished him with second class accommodations over his protest; which said action of the defendants in charging for and receiving the fare for first class accommodations and failing to provide same, providing in lieu thereof, second class accommodations, was unjust, unreasonable and unlawful, in violation of Section 1, Clause 5, of the Interstate Commerce Act.

IV

"That the defendants, and each of them, in violation of Section 2 of the Interstate Commerce Act, on the date aforesaid, did directly and indirectly charge, demand, collect, and receive from this complainant a greater compensation for service rendered in transporting him as a passenger, than was charged, demanded, collected and received from other persons (whose names are to complainant unknown) for doing for them a like and contemporaneous service, and did thereby unjustly discriminate against complainant; in this, that the defendants did charge this complainant and received, from him the price of first class accommodations; yet furnished to him second class accommodations, while furnishing first class accommodations to all others who had purchased first class tickets for first accommodations; and such action of the defendants did thereby unjustly discriminate against complainant in violation of Section 2 of the Interstate Commerce Act.

V

"That the defendants, and each of them, in violation of Section 3, Clause 1, of the Interstate Commerce Act, on the date aforesaid, did give undue and unreasonable preference and advantage to certain white persons (whose names are to this complainant unknown) in respect to transporting them from Chicago to Hot Springs aforesaid; and did subject this complainant to undue and unreasonable prejudice and disadvantage in respect to transporting him as aforesaid; in this, that the aforesaid white persons holding first class tickets similar identically to the complainant, were transported in a first class car, said car being equipped with clean towels, clean washbowls, comfortable seats with upholstered backs and foot rests; clean smoking rooms, lounging room, observation space, writing desks; writing paper and pen and ink, magazine and other reading periodicals, regular and efficient porter service, pressing and shoe shining service, stenographic service, manicuring and barbershop service, bath service, valet service, radio, soap of high quality, facilities for serving meals in the car or the option of having meals in the dining car; clean toilet facilities with running hot and cold water, and water for flushing purposes with disinfectant, all free of charge to first class passengers, and many other services too numerous to mention or to particularize more definitely; while this complainant, notwithstanding the fact that he possessed a first class ticket entitling him to ride in a first class car possessing each and every one of the last named facilities, was compelled by the defendants by and through their agents, servants, employees and over protest of this complainant, to ride in a second class car which possessed none of the aforesaid facilities but on the contrary said second class car did not contain clean towels, nor clean washbowls; nor compartments, berths, sections, drawing rooms, smoking rooms, lounging rooms, observation space, writing desks, paper, pen, ink, magazines, and other reading periodicals; nor porter service, soap, nor facilities for meals being served in said car, nor clean toilet facilities with running hot and cold water for flushing purposes and disinfectant; and this complainant specifically charges that the second class car in which he was forced to ride as aforesaid did not contain the above facilities and did not contain any one or either of them; but on the contrary said second class with filthy toilets, and so remained during the entire time this complainant was compelled to occupy it, which was for a period of more than four hours and over a journey of about 160 miles; beginning at a point just west of Memphis, Tennessee, and continuing on into Hot Springs, Arkansas.

"And in this connection, complainant further states that the first class car occupied by the aforesaid white persons holding tickets identically said State.

"That said action, causing undue and unreasonable advantage to white persons, and causing undue and unreasonable prejudice to this complainant, being based on the State law aforesaid, is in violation of Section 13, Clause 4, of the Interstate Commerce Act.

VII

"That by reason of the facts stated in the foregoing paragraph complainant has been subjected to the payment of fares for transportation which were when acted and still are unjust and unreasonable in violation of Section 1 of the Interstate Commerce Act; and said complainant has been unjustly discriminated against in violation of Section 2 of the Interstate Commerce Act; that said defendants have been unduly and unreasonably preferential to some persons while at the same time being unduly and unreasonably prejudiced against this complainant in violation of Section 3 of the Interstate Commerce Act; that the action of defendants in operating under the Arkansas Law causes undue and unreasonable prejudice to complainant and other persons, in violation of Section 13 of the Interstate Commerce Act, and the Fourteenth Amendment of the United States Constitution in denying to petitioner equal protection of the laws.

VI

"That the defendants, claiming to act under authority of the Arkansas Statute (Kirby's Arkansas Statute, Sections 6622 to 6632), did force and compel this complainant to ride in a second class car, notwithstanding the fact that complainant held a first class ticket; that the second class car was described in Paragraph Five hereof which by reference is made a part of this paragraph. That the action of the defendants was based on the fact that this complainant is a Colored person, and in transporting him in the second class car referred to, while aforesaid violations of said act, and while persons holding identically similar first class tickets were permitted to ride in the first class cars described in Paragraph Five of this complaint, which by reference is made a part hereof, and said practice of the defendants in furnishing such unequal accommodations to persons holding similar first class tickets, under the aforesaid Statute, causes undue and unreasonable advantage and preference to white persons; and causes undue and unreasonable prejudice to this complainant and all other Colored persons who in the future will use said interstate commerce lines of the said defendants; and the said unreasonable and undue advantage and preference to white persons aforesaid; and undue and unreasonable prejudice to this complainant and all other Colored persons aforesaid, is determined, friends told The New York Age, to have state laws which cause railroad discrimination and all other Colored persons who in the future will use defendant interstate commerce on the one hand and persons in interstate commerce on the other hand, in this, that said practice under said law only arises after Colored persons have entered the State of Arkansas and did not exist while this complainant was traveling in Illinois; that said law is not intended to and does not operate beyond the territorial boundaries of said State.

"WHEREFORE, complainant prays that defendants and each of them may be required to answer the charges herein; that after due hearing and investigation an order be made commanding said defendants and each of them to cease and desist from the aforesaid violations of said act, and establish and put in force and apply in future to the transportation of persons between the origin and destination points named in paragraphs V and VI hereof, in lieu of the services and facilities named in said paragraphs V and VI, and such other services and facilities as the Commission may deem reasonable and just; and that such other and further order or orders be made as the Commission may consider proper in the premises."

A Well Planned Action

Congressman Mitchell who is now on his vacation, in filing this petition with the Interstate Commerce Commission, is determined, friends told The New York Age, to have state laws which cause railroad discrimination and all other Colored persons who in the future will use defendant interstate commerce on the one hand and persons in interstate commerce on the other hand, in this, that said practice under said law only arises after Colored persons have entered the State of Arkansas and did not exist while this complainant was traveling in Illinois; that said law is not intended to and does not operate beyond the territorial boundaries of said State.

Jim Crow Cars - 1937

Illinois.

Demand End Of Jim Crow On El Lines

CHICAGO, Ill., Feb. 4. — The Negro question shouldered its way into the council hearings on traction problems here, and became the central point. Delegates representing 12,000 organized Negroes demanded that in proposed transportation legislation companies be forbidden to discriminate against Negroes. They spoke of resolutions presented to the various organizations represented, and emphasized the fact that at present no Negro is allowed to work for a traction company, except in the menial capacity of porter. The Negro delegates demanded that future franchises contain a clause penalizing such discrimination.

Lawyers for traction interests tried to dodge the issue, claiming such a clause would be unconstitutional. They said that when the last franchise, which expired nine years ago, was passed, labor unions wanted a clause inserted to force union conditions.

The Negro delegates said this was legislation to force the companies to live up to the U. S. and Illinois constitutions, by forbidding discrimination because of race or color. The delegates also emphasized the fact that their movement was going ahead, whether the City fathers acted on it or not.

They were promised such a clause and the matter will come up again at hearings a week from today.

Jim Crow Cars - 1937

Massachusetts.

WOMAN PUT IN REAR SEAT

Denied Seat She Reserved;

NAACP Threatens Suit

Charges that the Eastern Greyhound Lines practised racial discrimination on their busses were launched by the Boston Branch of the N. A. A. C. P. this week when Attorney Irwin T. Dorch, president wrote a strong letter to the Company at their Boylston street offices.

The matter arose over the complaint lodged in behalf of Mrs. Alice Prince of Society Hill, S. C., who was in Boston visiting relatives at 141 Harrison street. On leaving for Philadelphia at the downtown terminal, it was charged that although the lady had reserved seat number 26 (incidentally a good one) and had her ticket for same, the driver of the bus forced her to take a rear seat over the engine—this being a pusher type bus with the engine in the rear. Mrs. Prince is said to have protested and appealed to the dispatcher but was told "I can't do anything about it."

Threatens Suit

In his letter to the Company dated September 11, Mr. Dorch concluded as follows:

I wish to inform you, as president of the Boston Branch of the National Association for the Advancement of Colored People, that such practices by your company must cease immediately. You have no authority under the laws of this Commonwealth to exercise any such discrimination. If any further acts of this kind are committed, I intend to take it up with the Inter-State Commerce Commission. Not only that, but it is my intention to bring suit against your company for any other acts so committed.

At the time of going to press no reply had been forthcoming from the Company.

THE GREYHOUND BUS CO.

CULMINATING many complaints as to discriminatory treatment on the part of the Greyhound Bus Company, the matter is now going to be brought to a head by Attorney Irwin T. Dorch, president of the Boston branch of the N.A.A.C.P., who is taking up a case in point. A lady who purchased a seat in a desirable location in a Greyhound bus was forced by the driver to take a back seat. It is also alleged that it is the practice of the company here in Boston to allocate rear seats and seats over the wheel to colored passengers on the naive and flimsy excuse that there are no other seats available.

We think that colored passengers have a simple and effective solution to this vexatious problem, and that is to do their traveling by lines that practice no discrimination. If the Greyhound Bus Company can afford to do without colored patronage, then all right to them; and if they cannot, then they must either correct their impudent attitude or suffer the consequences. It is up to colored people to find out what they will do.

For our part, we are not so dumb as to think that the best avenue of transportation begins and ends with a Greyhound bus. We have traveled by other lines and found them equally as accommodating, if not more so. And we feel much greater peace of mind when we know that we can travel without being subjected to insult and ignomy. We shall watch the outcome of this with great interest.

Jim Crow Cars - 1937

Mississippi.

JIM CROW LAW ENFORCED

Negro Riding With Whites Removed To Another Coach

PASCAGOULA, Miss., April 9.—The racial issue temporarily held up a Louisville & Nashville passenger train here late yesterday until Mayor J. Guy Krebs went aboard and requested a negro attendant with the Milwaukee baseball team to leave the coach and go into the coach for negroes.

The negro had boarded the train along with the Milwaukee ball team. Complaints of white passengers resulted in the train being stopped here and Mayor Krebs, who also serves as the city's chief of police, went aboard and requested the negro to occupy the coach for negroes until he crossed the Mason and Dixon line.

Pascagoula, Miss. Star
April 9, 1937

Jim Crow Law Is Cause Of Half Hr. Delay Of Train No. 4

A negro trainer of the Milwaukee Brewers who was said to have been riding in the white cars of No. 4 Thursday was the cause of the train to be held up in Pascagoula for a half an hour Thursday. J. Guy Krebs, police commissioner of the city of Pascagoula was sent for and told the manager of the team that the negro would have to move to the negro section of the train.

This caused quite an argument it was said, and as a result the train was delayed. From unofficial sources it was said that the negro was riding the white day coach from Biloxi to Mobile where a special pullman was awaiting the team.

The negro finally voluntarily moved up to the section where he belonged and the train proceeded on its way. A white passenger on the coach objected to riding in the same coach with the negro who was said to be one of the trainers of the Brewers. It is presumed that the negro was given a berth in the special pullman along with the balance of the team when the team arrived in Mobile.

Negroes are not allowed to ride in day coaches in the South.

Jim Crow Law For Buses Upheld In Mississippi; Woman Awarded \$1,000

JACKSON, Miss.—(ANP)—Mississippi's law requiring segregation of white and negro passengers in trains and buses was upheld last week by the state supreme court to the advantage of Mrs. Jesse Lee Gardner who will get \$1,000 because there is such a statute.

Mrs. Gardner was assaulted by a white man on a municipal bus here when she declined to give up her seat in the jim crow section after the bus became crowded and several white men were forced to stand in the aisle.

Suing the Mississippi Power and Light Co., operators of the bus, she was awarded \$1,000. When the verdict was appealed, it was upheld by the supreme court which pointed out the power company was liable because of jim crow law requirements and if a passenger refused to observe the rules for seating passengers the bus company may deny him passage without incurring liability.

Jim Crow Cars - 1937

Missouri.

A Back Number

Kills Mo. Jim Crow Travel Bill

Once again the Missouri legislature has had the good sense to disregard a separate car bill. This time it was introduced by a member from St. Joseph, Paul E. Turner. The credit for killing it goes to Max Asotsky, member from Kansas City.

It is strange how this measure, which is completely out of step with the times and for which little need exists, keeps bobbing up. In some sessions Negroes have protested. This time it died a-borning.

Separate cars for Negroes are notoriously inferior in accommodations. In the states most insistent on the separation of the races, Negroes can neither sleep in sleeping cars nor eat in dining cars like other people. Why any man who knows enough to be a member of the legislature wants those conditions in Missouri is beyond understanding. Member Paul E. Turner of St. Joseph must want to advertise that he is a back number.

This is an age in which faster means of communication makes all peoples neighbors. Strangers of every hue are common. For any citizen of the United States to pretend that he is so superior that he cannot bear the presence of black Americans in the same railway coach at the same time that he admits that his prosperity is increased by world trade, is to demonstrate a great inconsistency. We cannot hate such a person. He has not that much importance. We can only pity him.

CHILLOCOTHE, Mo., Jan. 30.—(By William V. Williams for ANP)—Withdrawal of a bill which would impose a jim-crow law in Missouri providing for separate coaches for Negro travellers on railroad trains was announced last week by its sponsor, Paul E. Turner, representative from Buchanan county. It was introduced in the house Thursday morning and, following a conference with leaders, was withdrawn Friday. Negro leaders believe such a measure would not receive support from any influential Democrat nor from the state administration in part or as a whole. Turner comes from a section without a sizeable colored vote.

Race Issue Delays Train at Pascagoula

Pascagoula, April 9—An east-bound L. & N. passenger train was held up here for 30 minutes shortly before noon Thursday while a Negro attendant of the Milwaukee baseball club was transferred from a Pullman car to a coach for colored passengers.

Railway officials at Pascagoula said the ball club had chartered a Pullman at Biloxi but through lack of facilities the club had entertained on a regular Pullman, taking the negro aboard. White passengers objected to the negro's presence as the train pulled into Pascagoula at 11:54 a.m.

Mayor Guy Krebs, who is also in charge of the police department, was called to the station and ironed the matter out, the negro he said, voluntarily retiring to the colored coach.

MEASURE IS DRAWN UP TO PROTECT RACE

To Regulate Accommodations Of Passengers

KANSAS CITY, Mo., May 14—Seeking to regulate accommodations of passengers for hire on inter-state carriers, Atty. James D. Pouncey of Kansas City, is seeking Congressional action on a measure he has drawn up. The proposed bill was sent to Arthur W. Mitchell, congressman from the first district of Illinois, at Washington, and to other members of Congress. The proposed measure follows:

That it shall be unlawful for any railroad company, steamboat, bus company, or stage coach, corporation, air transportation company or corporation, private person or persons engaged in the transportation of person or persons for hire from one state to another to transport or carry said persons or persons for hire as passenger or passengers without furnishing accommodation either on the conveyance where the passenger or passengers, person or persons are transported at convenient stops or stations, such as lunch rooms and restaurants, where food can be purchased at a reasonable price by person or persons who are being transported by said carriers as such; and that it shall be unlawful for said carrier or carriers or persons engaged in the transportation of person or persons for hire to make and distinction on account of race, color or previous condition of servitude.

The corporations, carriers, person or persons offending or violating the law, the passenger or passengers or person or persons who are being transported for hire as passengers, shall be deemed guilty of a misdemeanor, and said charge or violation of this act shall be brought in the United States Federal Court in any state where said carrier or carriers or person or persons or corporation operate, and upon conviction, if any, of said person or persons or corporation or carriers, shall be fined not less than ten (\$10) dollars or more than one thousand (\$1,000) dollars, and shall also be liable for damages to the person or persons so affected by this act in a court of competent jurisdiction for any injury or injuries received.

TEACHER SUES BUS COMPANY FOR \$20,000

Miss Edna Williams Says She Was Arrested and Held Prisoner

Charging that she was falsely arrested while riding as a passenger on a bus and held prisoner for five hours, Miss Edna Williams, a teacher at the Dunbar school, Monday, October 4, filed suit for \$20,000 damages against the Dixie Greyhound Line, Inc. The suit was filed in the Jackson county circuit court by James D. Pouncey, attorney.

In her petition, Miss Williams says that on September 3, 1937, she boarded a bus at 4 o'clock that afternoon at Hayti, Mo. She was on her way to Kansas City to begin her duties in the public school system.

Upon boarding the bus, she said she took the only seat that was available or vacant at the time.

Between 5:30 and 6 o'clock when the bus reached Sikeston, Mo. Miss Williams said that agents of the bus company "without any authority under the laws of this state or the United States" had the teacher arrested and kept her imprisoned from 6 o'clock until 11 o'clock that night.

Miss Williams' petition asserts, "as a result of the injuries herein complained of that she suffered by the defendant and against her in the wilful, wanton, malicious,

illegal and raise arrest and assault and the restraint of her liberty as a result of illegal acts . . . she has suffered actual damages in the sum of \$10,000.

The petition adds that Miss Williams also suffered punitive damages of \$10,000, making a total of \$20,000 damages which she asks the court to assess the bus lines. Attorney Pouncey has received a letter from J. C. Elmore, general claim agent of the Dixie Greyhound Lines, admitting the practice of segregating Negro passengers on the busses in Southeast Missouri. Elmore said it was a policy of the company to cater to the wishes of the white passengers.

Miss Williams' case is set for the November term of court.

Jim Crow Cars-1937

New York.

I.C.C. GETS PROTEST ON
JIM CROW CARS IN N.Y.

New York, Aug. 20.- A protest has been sent the Interstate Commerce Commission and the Pennsylvania railroad on the practice of allowing "white" and "colored" signs to remain in passenger coaches on trains that are brought into New York City from the South through Washington. *Press Release of the N.A.A.C.P., 8-20-37*

Complaints have come to the N.A.A.C.P. from time to time that train conductors and brakemen on the Pennsylvania fail to remove these signs when the train is taken over in Washington from the southern railroads. The latest complaint was made by Arthur W. Craig of Mount Vernon, N. Y., who states that on August 2 he boarded a train at the 30th Street station in Philadelphia, bound for New York and that a white passenger who got on the train at Trenton, N. J., asked the conductor where he could find a seat and the conductor replied "up ahead in the colored coach." Mr. Craig relates that in order to verify this statement, he went up ahead and found a partitioned coach with the signs "white" and "colored" still in place.

The N.A.A.C.P. referred a similar complaint in April, 1936 to the Pennsylvania railroad and was told that the matter "would be investigated." Evidently no specific instructions have been issued to Pennsylvania trainmen by the railroad to remove these signs. The N.A.A.C.P. accordingly is urging the Interstate Commerce Commission to see that the signs are removed.

Jim Crow Cars - 1937

JIM-CROW BUS BILL PASSED

COLUMBIA, S. C., April 28—The South Carolina senate passed a bill last Wednesday to require separate compartments on busses for whites and Negroes. The bill was sent to Gov. Olin Johnston for his signature.

While the legislature debated and quibbled over other measures, the 'Jim Crow' bus bill was given a third reading and ordered ratified by the senate.

JIM CROW LIGHTS ON THE BUSSES

When southern legislators can't think up ideas really worth while for the general welfare of all of the people, they generally jump on the Negro. Of course, it is always done in the name of the Father, the Son and the Holy Ghost. Don't let the veil though for behind it is the Devil and all his imps. South Carolina has in time past enacted many Jim Crow laws, but none passed has a greater possibility for injustice and down right meanness than the recently passed one giving bus drivers police power to enforce whatever commands he may make as to seating passengers. The bill is fair on its face, but everyone knows that it is to be enforced against the welfare of Negro passengers. That such is the real meaning of the law can be easily gleaned from the reported comment of the Governor in signing the Act.

"I think," he says, "it should be strictly enforced, and that there should be no hesitation in enforcing penalties against violators. The main purpose of the law is to see that the white women of the state are given every consid-

eration. The men have been able to take care of themselves, but I have heard of many cases where white women were forced to stand on buses which were over-run with Negroes." Of course, he has never heard of the opposite. But then that wouldn't count, though all passengers are entitled to the same treatment. They all spend their good money. But the law is on the books. There is nothing else to do but obey it cheerfully. If you don't like it—and how could any Negro passenger favor it with such a spirit behind it?—stay off the buses. Ride the trains. There to himself nor will he have to jump at least, one will be in a coach all here and there at the command of one who, in the first place may not be fit to have police powers, having been employed rather for his ability to drive a bus. For Negroes, train travel is safer, more convenient and comfortable. Columbia, S. C. Record April 28, 1937

'Bus Segregation' Measure Sent to Governor Johnston

Strict segregation of whites and negroes on buses operating in the state would be required under a bill passed in the legislature and sent to Governor Olin D. Johnston for his signature.

The bill would make bus operators set aside certain seats for negroes in the rear of buses and enforce observance of the dividing line. The bill, introduced originally by Rep. John D. Long, of Union, provided for separate compartments for whites and negroes, but the compartment idea was removed in the committee room.

Bus operators pointed out that with a separating partition it would be impossible for the driver of a bus to have an unrestricted view of the rear both for driving purposes and to keep an eye on the conduct of passengers.

Rep. Long consented to an imaginary separation line without protest when it was pointed out that the compartment plan might prove dangerous in operation of the buses.

The act would apply to all buses operating on either streets or highways of the state.

Governor Johnston is in Wash-

SOUTH CAROLINA PASSES A BUS BILL

IN this an advanced age of better understanding and Christian brotherhood emphasis, it was left for South Carolina, that state which led off with secession from the union to also pioneer in another field. Those who know the evils attendant and the inconvenience afforded by every system working under a dual policy that South Carolina means to enforce a law requiring busses operating in and possibly through that state provide separate compartments for white and colored passengers. Those who ride the busses know something of the already crowded and uncomfortable conditions renderings them almost undesirable as common carriers.

Only a few days ago this writer traveled in one of these small busses in which South Carolina plans to establish a new form of segregation and by the way discrimination. The bus was crowded with white people. Only one colored person was on the bus. The driver very courteously asked the colored passenger if there was any objection to moving from the back seat which would seat some eight people, so the white passengers could sit. The driver secured a folding chair, such as undertakers use in their funeral parlors and fixed the colored passenger a very comfortable seat by the driver up in front.

In that the white passengers rode behind the colored passenger. According to the South Carolina plan, there would be in a small bus a separate compartment. In this

compartment only one colored passenger could hold up the whole section, while the other passengers are packed in their sections like sardines.

While this is ugly on the surface, it is a poor rule that does not work both ways and an ill wind that blows nobody good. Colored passengers in South Carolina might be beneficiaries in that one passenger may occupy a whole section in leisure and reading while his more fortunate brethren are packed to standing room in an adjoining compartment. South Carolina may do something good the first thing she knows.

Jim Crow Cars - 1937

Tennessee.

Fine Fisk Student For Taking Seat Beside white Woman, But Given Freed'm

NASHVILLE, Tenn. (AP) —
Benton Berrian, male student at
Fisk university, fined \$50 and costs
or thirty days in jail when arraigned
in city court on charges of disorderly
conduct, violating the jim crow
law, and insulting a white woman on
a street car by sitting beside her.
He was dismissed in circuit court, Mon-
day, on an appeal.

On January 13, Berrian boarded a
car crowded except a lone seat occu-
pied by the lone white woman. She
is reported to have complained to the
operator and swore at Berrian when
he took a seat near her. When the
car reached a transfer point, she call-
ed an officer.

After Judge Guild Smith imposed
the fine, Z. A. Looby, attorney, was
retained by Dr. Alva Taylor and
president of Fisk to initiate an ap-
peal.

S.P. Streamlined Train To Carry Car For Negroes

HOUSTON.—Two new high speed, streamlined passenger trains, said to be the finest in the South, will be placed in service over the Southern Pacific Lines between Houston and Dallas about September 15, carrying a whole chair car with gangs of windows, swivel chairs, radio, and every luxury for Negroes that whites enjoy.

The new trains, each of eight cars, have recently been completed at the plant of the Pullman Manufacturing Company in Chicago and will be operated as the "Sunbeam," taking over the name of their famous predecessors which have been in continuous service on the same run since 1926.

Constructed at a cost of more than \$1,200,000, the new streamlined trains represent the very latest in modern railway passenger equipment. Each will be powered with a streamlined steam locomotive built in the Southern Pacific shops at Houston especially for this service and in accordance with the latest and most advanced ideas and engineering designs for high speed motive power. Three of the new locomotives, each with a total length of slightly more than 91 feet and with 2,365 horsepower, have been completed in the Southern Pacific's shops here (and they say 25% of the labor was of Negroes) and complete breakdown of the new service. One will be held in reserve.

Each of the new trains will consist of a baggage car, separate chair car, four chair cars in articulated pairs, with one whole car for Negroes, parlor car and combination dine-lounge. With the exception of the diner, all cars are equipped with radio.

The Contrast

Unlike the Rock Island and Burlington which made no provision for Negroes either on its Zephyr or Rocket, the Southern Pacific has followed its long established custom of humane and fair consideration of its Negro patrons. Not only has it set aside a whole coach with the same equipment as the other coaches but it plans to take Negro representatives on its test run to Dallas.

Just yesterday Prof. J. Will Jones was telling how his party lost nine hours getting into Houston from Ft. Worth because they could not ride the Rocket, the Burlington new streamlined train. Even the Negro who was working on the Rocket hopes

Although its road bed is 15 miles longer the Southern Pacific's time to Dallas will be about the same as the rocket. It will make the run in not over four hours and fifteen minutes and maybe less. It will leave Houston near 5 p.m. and get to Dallas by 9 p.m.

The new trains are streamlined from the headlight of the giant locomotive to the curved ends of the observation cars. They will be distinctive in appearance by reason of their strictly individual exterior colors.

Each of the new trains will have a total length of 672 feet, including locomotive, and a seating capacity of 326, making them the largest passenger trains of the streamlined type operating over Texas lines. Following receipt of the new equipment in Texas, Southern Pacific officials Tuesday began a series of exhaustive test runs which are to continue the next several days to complete the breaking in process of the new trains and afford opportunity for final determination of the running time between Houston and Dallas.

Grapevine says that they went to Hempstead and back Tuesday in one hour and fifteen minutes. This included turning time and necessary time in Houston. Plans are being made, Mr. Lull said, to place the new streamliners on exhibition both in Houston and Dallas prior to the inauguration of regular service. The dates of these exhibitions, to which the public will be invited, will be announced soon.

Jim Crow Cars - 1937

Virginia

Bus Line Wins Appeal in J.C. Case

she reached Virginia on the outskirts of Washington. Refusing to move, she was arrested by police whom the driver called, fined \$25, and imprisoned over night. She missed the funeral of her mother.

'White Only' Buses Banned In Virginia

WASHINGTON. The constitutionality of the Virginia Segregation Law as it affects the regulation of interstate commerce was ignored in the case of Mrs. Mamie Krinchlow against the Rapid Transit Company when the District Court of Appeals refused to reverse the decision of the lower court, last week.

Mrs. Krinchlow sued the company for damages arising from being allegedly ejected from a Greyhound bus and imprisoned in Alexandria, Va., in August, 1932, when she was en route from her home in New York to Norfolk, Va., to bury her mother.

In its decision, the Court of Appeals held that:

No Point of Issue

"Whether or not the Virginia statute was violated as relates to interstate commerce is beside the point at issue." It upheld the defendant's plea that Mrs. Krinchlow was arrested for disorderly conduct by the Alexandria police and that she had not been ejected from the bus by the company's agents, but by the police.

The NAACP became interested in the case because of the Virginia segregation law. Henry Lincoln Johnson was counsel for Mrs. Krinchlow. He will ask for a rehearing on the case, he said, because of what he considers two errors in the pleadings of the defendant.

Mrs. Krinchlow purchased a ticket for seat No. 29 on the bus, she testified, but was asked to change it by the bus driver when

DANVILLE, Va., Jan. 21—Judge Henry C. Leigh held in the Corporation Court here last Thursday that the Danville Traction and Power Company has no right to operate buses reserved for white people and others for Negroes.

The ruling indicated the courageous fight of Miss Helen Willis in her action several weeks ago in insisting on entering a bus reserved "for whites."

Fined five dollars in the police court, she appealed . . . and won! The case did not reach the jury.

Law Case In Virginia Unique

(By James A. Garland for ANP)

DANVILLE, Va. — Just what is the proper interpretation of this city's jim crow law will be decided by a jury in corporation court in the case of Miss Helen G. Willis, who appealed from a decision against her rendered last week in police court by Magistrate Charles K. Carter.

Miss Willis is charged by Bus Driver Dodd of the Danville Traction and Power Co. with insisting on entering a bus put on solely to accommodate white people, which was followed by one exclusively for Negroes. She gave her ticket to the driver, declaring she was in a hurry. She was arrested down town.

J. C. Carter, veteran attorney, defended Miss Willis and a number of members of the Negro Progressive League heard the case. The lawyer argued there had been no violation of the Virginia code, there was no sign on the bus indicating it was for whites

exclusively, and acceptance by the driver of her ticket entitled her to transportation.

The state denied that the motor man took the ticket and declared that in the case of Miss Willis, a defiant attitude had been assumed and under the law she should have left the bus and caught that following it assigned to colored fares.

Although her fine was only \$5, notice of appeal was filed because Attorney Carter said he intended to settle this question of correct interpretation of the jim crow law once and for all.

Roanoke, Va. Times
January 20, 1937

A Sensible Ruling

The Danville traction company's practice of running separate buses for white and colored passengers, members of each race being excluded from the buses reserved for the other, will have to be discontinued, in accordance with a ruling of Judge Henry C. Leigh in the Corporation Court. A Negro woman who disregarded the instruction of a bus driver to wait for the colored bus, insisting on riding in the bus reserved for white people, was arrested and prosecuted.

When the case came to trial last week Judge Leigh instructed the jury to acquit the woman, declaring that the traction company had no right under the State law to run separate buses for the two races. Railroad companies might with equal propriety and equal defiance of elementary economics and common sense, he pointed out, insist on running separate trains for the two races.

Perhaps comment is unnecessary. But

we cannot resist the impulse to voice a word of approval of Judge Leigh's decision. In most Southern cities, including Roanoke, colored passengers are seated from the rear of the bus or street car and white passengers from the front. This is a common sense arrangement which results in no friction between members of the two races. After all, one seat on a bus or a street car is as good as another and there are self-evident reasons why mixing passengers of the two races would be inadvisable. It is no affront to either to seat them separately. But there is no reason whatever why they should be required to ride in separate vehicles and Judge Leigh's ruling strikes us as eminently correct.

Supreme Court Refuses Review Jim Crow Case

Woman Ejected From Bus Line Carried Suit To Highest Court

WASHINGTON, D. C. (CNS)—Henry Lincoln Johnson, Jr., counsel for Mrs. Mamie Krinchlow, has been informed that the Supreme Court of the United States has refused his client a writ of certiorari.

Mrs. Krinchlow sued the Richmond Greyhound Bus Lines and the Peoples Rapid Transit company for damages on account of being ejected from a bus of the company at Alexandria, Va., on August 1, 1932. She lost her suit on a directed verdict in the Supreme Court of the District of Columbia (now the United States District Court for the District of Columbia), and also lost her appeal to the Court of Appeals of the District of Columbia.

The suit has now been ended by the refusal of the country's highest court to review the case.

Federal Judge In New Jersey Resets Hearing

Says She Was Forced To Work For Week In Jail Laundry

CAMDEN, N. J.—Echoes of the five-year old Greyhound bus case in which two women en route from Trenton, N. J., to Fredericksburg, Va., were taken off the bus and lodged in jail under the Virginia segregation statute, were heard in the United States Court here.

The plaintiff was Mrs. Bessie Nelson of 414 Reservoir Street Trenton, who five years after she was forced off the bus, began action to recover damages from the bus company.

BUS COUNSEL OBJECTS

The case suddenly ended in a mistrial last week when counsel for the bus company objected to a motion made by Attorney Robert Queen, representing Mrs. Nelson. The case has been set for rehearing during the December term of court.

Mrs. Nelson described to the all-white jury how she had bought a ticket to go to her sick mother's bedside in Fredericksburg. Accompanied by Mrs. Mamie Kinchlow, she rode safely to Washington, where they were ordered to take a rear seat in the bus headed south.

The women refused to move. When they got to Alexandria, the first stop in Virginia, two police officers boarded the bus and grasping the women by their arms, forced them off the vehicle.

HELD OVERNIGHT

They were locked up in Alexandria overnight while the bus proceeded on its way. The bus driver, returning next day, accused the women of violating the Virginia statute. They were both convicted and unable to pay the \$25 fines, were remanded to jail.

Mrs. Kinchlow was released

After two days on payment of the fine, but Mrs. Nelson was forced to spend almost a week in jail where she was forced to do laundry work for a municipal hospital.

Mrs. Kinchlowe lost her suit in the Supreme Court of the District of Columbia and the ruling was affirmed by the Court of Appeals.

Attorney Queen, who is assisted by Edward A. Reid of Camden, filed his case for Mrs. Kinchlowe about four years after the occurrence. It was set before Federal Judge John B. Avis.

SEEK DISMISSAL

Attorney Samuel Orlando, representing the bus company, sought to have the suit dismissed on the grounds that the statute of limitations, set at two years in New Jersey, had outlawed the action. Despite protests of Mrs. Nelson's counsel, the court upheld Mr. Orlando's contention.

The plaintiff's lawyers then moved to amend their pleadings to an action on contract, which was granted. Mr. Reid then moved further that she be allowed to claim exemplary damages under the new pleadings.

Mr. Orlando's objections to this motion led to the mistrial. The case was placed at the bottom of the calendar and the lawyers were ordered to file their new pleadings.